IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTIION

Writ Petition No. 8230 of 2007

1. M/s Shah Constructions
and another ..Petitioners

vs.

1. Khandesh Vidharbha Nagari
Sahakari patsanstha Mydt.
and others ..Respondents

Shri Sandeep Shinde i/b Shri Sagar Kasar for petitioners.
Shri Ambar Joshi for respondent no.1.

CORAM: S.C.DHARMADHIKARI J.
22nd NOVEMBER, 2007

P.C.

1. Heard Shri Shinde for the petitioners. Perused the concurrent orders holding that the remedy of the petitioner cannot be to implead himself now because nothing is pending before the Trial Court. The remedy is to initiate substantive proceedings and that remedy is always available even if the applications preferred are dismissed. Equally, all contentions therein are also kept open irrespective of the conclusions of the Courts below. Petition is dismissed.

(S.C.DHARMADHIKARI J.)